

DELEGATE WHEATLEY: Would the words "adjoining territory" be subject to the interpretation that was given yesterday as applies to land area, or not land area. I am thinking in particular of the third congressional district of Baltimore City, which jumps the Patapsco River, as I recall.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: I do not think it would disturb the form of the third congressional district, even though there is some water division between the district. There is also a touching land section of the district, as well, as I understand it.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: I do not have the map before me. However, it seems to me there are some segments of it that are entirely separated by water. I am not certain of that.

THE CHAIRMAN: Delegate Wheatley, the Chair again suggests to you that there is no body of water in the State of Maryland that is not in a county. The lines usually run through the center of the rivers.

Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, I do not quite know what you mean by that, because we have a legislative district, that if we use rivers probably it would be separated into four sections, rivers and creeks depending upon how you define them.

Again, I am without a map and I would like to have a definite answer to this, if I might, before we vote on this question.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: I am sorry, Mr. Chairman, I was looking at a map when you addressed the last question to me.

THE CHAIRMAN: He said he would like to have a definite answer to his previous question.

DELEGATE GALLAGHER: Well, I would expect in all probability territory can be both land and water. I do not know whether you may have all the water problem in the third congressional district. I do not have that knowledge. I do not have the Congressional district map before me.

THE CHAIRMAN: Delegate Wheatley, do you have further questions?

DELEGATE WHEATLEY: Mr. Chairman, I do not, if he cannot answer it at this time.

THE CHAIRMAN: Delegate Henderson, do you have a question of the sponsor?

DELEGATE HENDERSON: Yes, I do.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: If the congressional district can extend across the Chesapeake Bay, Anne Arundel County is hooked up to the Eastern Shore. It is divided like all Gaul, into three parts, as you may know. Would that be prevented under this amendment?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Delegate Henderson, as I read line 8 it says, "due regard shall be given to natural boundaries of political subdivisions."

The prior sentence, "each district shall consist of adjoining territory." Judge Henderson, I cannot say with certainty, but of course this constitutional provision would not be operative until after the decennial census of 1970, which would be 1972.

It could not in my opinion be used to invalidate any existing district even if it were in conflict.

THE CHAIRMAN: Delegate Rybczynski, do you have a question?

DELEGATE RYBCZYNSKI: No, sir. I was going to participate in that business about the third congressional district of Baltimore City.

However, apparently that has been answered.

THE CHAIRMAN: Delegate Case, do you have a question of the sponsor?

DELEGATE CASE: Yes, sir.

THE CHAIRMAN: State the question.

DELEGATE CASE: Delegate Gallagher, who is going to do the redistricting? In the other section, of course, where we are dealing with the General Assembly, a fairly elaborate plan is asked to be done.

How is it to be accomplished under this provision?

THE CHAIRMAN: Delegate Gallagher?

DELEGATE GALLAGHER: In my opinion, the only legal way for congressional districting to be done is to be done by the General Assembly of Maryland, the legislature itself, and no other body.